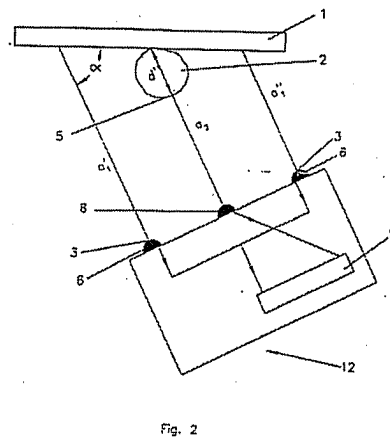
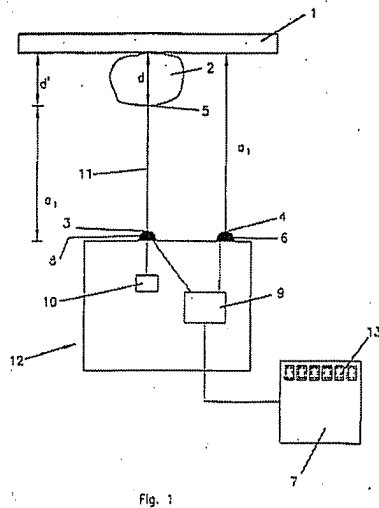


REMARKS

Claims 1 to 15 are currently pending in the present application. Claims 12-15 have been added. No new matter is added by the amendments.

Claims 10 and 11 are objected to by the Office Action based on formalities. Claim 10 has been amended which obviates this objection.

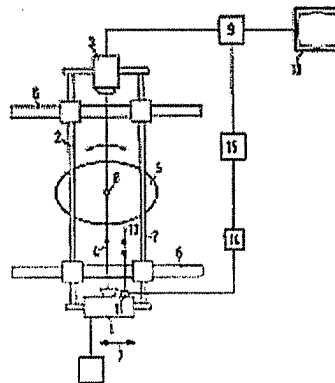
Claims 1-5 and 7-11 were rejected under 35 U.S.C. 102(b) as being anticipated by DE 198 02 499 A1 to Sferlea. Claims 1-4 include the feature of at least one of intensity and mean energy of the X-rays being controlled by the control unit (3) based at least in part on the first data. Claims 5-10 include the feature of the first arrangement (2) measuring the first data by triangulation. Claims 11-15 include the feature of measuring of first data of the object (1) by means of a contactless and X-ray-free method that is stationary with respect to the object and obtaining X-ray data of the object (1) by means of X-rays from an emitter that rotates with respect to the object. Sferlea does not disclose or suggest these features. Sferlea describes determining the spacing (a1) of the support plane (1) for the object (2) from a first reference point (3) and the minimum spacing of the object surface (5) from a second reference point (4) using a contactless measuring device (12) with two measuring sensors (6, 8). The difference (d') between the measured spacings is provided by a processor (7) for indicating the object thickness (d). The Sferlea device is shown as follows:



Sferlea does not describe or suggest the features of at least one of intensity and mean energy of the X-rays being controlled by the control unit (3) based at least in part on the first data; the first arrangement (2) measuring the first data by triangulation; or measuring of first data of the object (1) by means of a contactless and X-ray-free method that is stationary with respect to the object and obtaining X-ray data of the object (1) by means of X-rays from an emitter that rotates with respect to the object. As such, Sferlea does not anticipate claims 1-15.

Claims 1-5 and 7-11 were rejected under 35 U.S.C. 102(b) as being anticipated by GB 1 546 926 to Siemens AG. Claims 1-4 include the feature of at least one of intensity and mean energy of the X-rays being controlled by the control unit (3) based at least in part on the first data. Claims 5-10 include the feature of the first arrangement (2) measuring the first data by triangulation. Claims 11-15 include the feature of measuring of first data of the object (1) by means of a contactless and X-ray-free method that is stationary with respect to the object and obtaining X-ray data of the object (1) by means of X-rays from an emitter that rotates with respect to the object. Siemens does not disclose or suggest these features. Siemens describes compensating for differing lengths of X-ray paths due to the use of a polychromatic spectrum through use of correction signals that are provided to the correction device 15 which controls the signal processing

means 9 and adjusts the received imaging data accordingly. The Siemens device is shown as follows:



Siemens does not describe or suggest the features of at least one of intensity and mean energy of the X-rays being controlled by the control unit (3) based at least in part on the first data; the first arrangement (2) measuring the first data by triangulation; or measuring of first data of the object (1) by means of a contactless and X-ray-free method that is stationary with respect to the object and obtaining X-ray data of the object (1) by means of X-rays from an emitter that rotates with respect to the object. As such, Siemens does not anticipate claims 1-15.

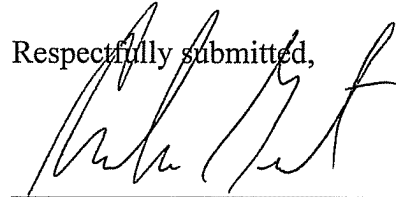
In view of the foregoing, Applicants respectfully submit that the specification, the drawings and all claims presented in this application are currently in condition for allowance. Accordingly, Applicants respectfully request favorable consideration and that this application be passed to allowance.

Should any changes to the claims and/or specification be deemed necessary to place the application in condition for allowance, the Examiner is respectfully requested to contact the undersigned to discuss the same.

Appl. No. 10/573,743
Reply to Office Action of September 21, 2007

Dated: 12/13/07

Respectfully submitted,



Andrew C. Gust
Registration No. 47,620
Akerman Senterfitt
for David Barnes, Reg. No. 47,407
Philips Electronics North America
Corporation
345 Scarborough Road
Briarcliff Manor, New York 10510
Telephone: 914-333-9693
Facsimile: 914-332-0615
File: DE 030340